

**CHAPTER 209**  
**VEHICLE REGISTRATION AND TITLING**  
*H.F. 711*

**AN ACT** relating to the application for registration and titling of vehicles and providing penalties.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 321.42, unnumbered paragraph 2, Code 1985, is amended to read as follows:

If a certificate of title is lost or destroyed, the owner or lienholder shall apply for a certified copy of the original certificate of title. The owner or lienholder of a motor vehicle may also apply for a certified copy of the original certificate of title as a replacement for the original certificate of title upon surrender of the original certificate of title with the application. The application shall be made to the department or county treasurer who issued the original certificate of title. The application shall be signed by the owner or lienholder and accompanied by a fee of ten dollars. After five days, the department or county treasurer shall issue a certified copy to the applicant at the applicant's most recent address, however, the five-day waiting period does not apply to an applicant who has surrendered the original certificate of title to the department or county treasurer. The certified copy shall be clearly marked "duplicate" and shall be identical to the original, including notation of liens or encumbrances. When a certified copy has been issued, the previous certificate is void. A new purchaser or transferee is entitled to receive an original title upon presenting the assigned duplicate copy to the treasurer of the county where the new purchaser or transferee resides. At the time of purchase, a purchaser may require the seller to indemnify the purchaser and all future purchasers of the vehicle against any loss which may be suffered due to claims on the original certificate. A person recovering an original certificate of title for which a duplicate has been issued shall surrender the original certificate to the county treasurer or the department.

Sec. 2. Section 321.49, subsection 1, Code 1985, is amended to read as follows:

1. Except as provided in section 321.52, if an application for transfer of registration and certificate of title is not submitted to the county treasurer of the residence of the transferee within ~~seven~~ fifteen days of the date of assignment or transfer of title, a penalty of ten dollars shall accrue against the applicant, and no registration card or certificate of title shall be issued to the applicant for the vehicle until the penalty is paid.

Sec. 3. Section 321.52, subsection 3, Code 1985, is amended to read as follows:

3. When a vehicle for which a certificate of title is issued is junked or dismantled by the owner, the owner shall detach the registration plates and surrender the plates to the county treasurer, unless the plates are properly assigned to another vehicle. The owner shall also surrender the registration receipt and certificate of title to the county treasurer. Upon surrendering the certificate of title, the county treasurer shall issue to ~~such~~ the person, without fee, a junking certificate, which shall authorize the holder to possess, transport or transfer ownership of the junked vehicle by endorsement of the junking certificate. The county

treasurer shall hold the surrendered certificate of title, registration receipt and, if applicable, the registration plates for a period of fourteen days following the issuance of a junking certificate under this subsection. Within the fourteen-day period the person who was issued the junking certificate and to whom the vehicle was titled or assigned may surrender to the county treasurer the junking certificate, and upon the person's payment of appropriate fees and taxes and payment of any credit for registration fees received by the person for the vehicle under section 321.46, subsection 3, the county treasurer shall issue to the person a ~~restricted~~ certificate of title for the vehicle. After the expiration of the fourteen-day period, a county treasurer shall not issue a certificate of title ~~shall not again be issued for the a~~ junked vehicle for which a junking certificate is issued. The county treasurer shall cancel the record of the vehicle and forward the certificate of title to the department.

However, upon application the department upon a showing of good cause may issue a certificate of title after the fourteen-day period for a junked vehicle for which a junking certificate has been issued. For purposes of this subsection, "good cause" means that the junking certificate was obtained by mistake or inadvertence. If a person's application to the department is denied, the person may seek judicial review as provided under sections 17A.19 and 17A.20.

Sec. 4. Section 321.135, Code 1985, is amended to read as follows:

321.135 WHEN FEES DELINQUENT.

~~Delinquencies~~ Except as otherwise provided, delinquencies begin and penalties accrue the first of the month following the purchase of a new vehicle, and ~~the first of the month~~ thirty days following the date a vehicle is brought into the state, ~~except as otherwise provided.~~

Approved May 28, 1985

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## CHAPTER 210

### HIGHER EDUCATION FACILITIES PROGRAM

*H.F. 541*

**AN ACT** to provide for the establishment of the Iowa higher education facilities program.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Chapter 261A is amended by adding sections 2 through 20 of this Act as a new division.

Sec. 2. **NEW SECTION.** 261A.32 LEGISLATIVE FINDINGS.

The general assembly finds:

1. For the benefit of the people of the state of Iowa, the increase of their commerce, welfare, and prosperity, and the improvement of their health and living conditions, it is essential that this and future generations of youth be given the greatest opportunity to learn and to fully develop their intellectual and mental capacities and skills.